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The Regular meeting of the Finance/Executive Committee of the Atlanta City Council was held Wednesday, September 27, 2006 at 1:00 p.m. in Committee Room #2, City Hall South, 2nd Floor.

Present: Councilmember Howard Shook, Chair
Councilmember Felicia A. Moore
Councilmember Kwanza Hall
Councilmember H. Lamar Willis
Councilmember Cleta Winslow
Councilmember Clair Muller

Janice D. Davis, CFO
Departmental Staff

2006
CITY CLERK

Chairperson Shook called the meeting to order at 1:10 p.m. after declaring a quorum present. The Committee members present were introduced as follows: Councilmembers Felicia A. Moore, Kwanza Hall, H. Lamar Willis, Cleta Winslow and Clair Muller. Other Departmental staff was present as well.

The Agenda was adopted as printed. Minutes of the September 13, 2006 Regular Finance/Executive Committee meeting and the Work Session of the 2007/2008 Council Budget Priorities/Requests were also adopted.

CONSENT AGENDA

TO ANTICIPATE AND APPROPRIATE BOND PROCEEDS IN THE AMOUNT OF \$22,500,037.85

06-O-2119 (1) An Ordinance by Finance/Executive Committee Anticipating and Appropriating Bond Proceeds in the amount of \$22,550,037.85, from the City of Atlanta Development Authority Opportunity Project, Series 2005 Bond Issue to fund various projects; and for other purposes. **(Favorable on First Read, 9/27/06)**

FAVORABLE ON FIRST READ

TO ANTICIPATE AND APPROPRIATE BOND PROCEEDS IN THE AMOUNT OF \$61,873,442.85

06-O-2120 (2) An Ordinance by Finance/Executive Committee Anticipating and Appropriating Bond Proceeds in the amount of \$61,873,442.85, from the Atlanta Fulton County Recreation Authority Refunding Revenue Bond, Series 2005A Issue to fund various projects; and for other purposes. **(Favorable on First Read, 9/27/06)**

FAVORABLE ON FIRST READ

TO ANTICIPATE BOND PROCEEDS IN THE AMOUNT OF \$82,565,000

06-O-2121 (3) An Ordinance by Finance/Executive Committee Anticipating Bond Proceeds in the amount of \$82,565,000, and Transferring the Excess Tax Increment in the amount of \$2,280,614.40 from the Westside Tax Allocation Distribution (TAD) Bond Series 2005 A & B to fund various projects; and for other purposes. **(Favorable on First Read, 9/27/06)**

FAVORABLE ON FIRST READ

TO ANTICIPATE AND APPROPRIATE BOND PROCEEDS IN THE AMOUNT OF \$166,776,758.38

- 06-O-2122 (4) An Ordinance by Finance/Executive Committee Anticipating and Appropriating Bond Proceeds in the amount of \$166,776,758.38, from the 2006 Atlantic Station Tax Allocation Distribution Bond Series to fund various projects; and for other purposes. **(Favorable on First Read, 9/27/06)**

FAVORABLE ON FIRST READ

TO ANTICIPATE AND APPROPRIATE BOND PROCEEDS IN THE AMOUNT OF \$23,279,191.05

- 06-O-2123 (5) An Ordinance by Finance/Executive Committee Anticipating and Appropriating Bond Proceeds in the amount of \$23,279,191.05, between the City of Atlanta and the Downtown Development Authority (Downtown Parking Deck Project) Series 2006 A & B to fund various projects; and for other purposes. **(Favorable on First Read, 9/27/06)**

FAVORABLE ON FIRST READ

TO ANTICIPATE AND APPROPRIATE BOND PROCEEDS IN THE AMOUNT OF \$21,075,589.69

- 06-O-2124 (6) An Ordinance by Finance/Executive Committee Anticipating and Appropriating Bond Proceeds in the amount of \$21,075,589.69, from the 2006 Princeton Lakes Tax Allocation Distribution (TAD) Bond Issue to fund various projects; and for other purposes. **(Favorable on First Read, 9/27/06)**

FAVORABLE ON FIRST READ

TO ANTICIPATE AND APPROPRIATE BOND PROCEEDS IN THE AMOUNT OF \$15,106,350.50

- 06-O-2125 (7) An Ordinance by Finance/Executive Committee Anticipating and Appropriating Bond Proceeds in the amount of \$15,106,350.50, from the Atlanta Fulton County Recreation Authority Bond Series 2005B Issue to fund various projects; and for other purposes. **(Favorable on First Read, 9/27/06)**

FAVORABLE ON FIRST READ

TO ANTICIPATE AND APPROPRIATE BOND PROCEEDS IN THE AMOUNT OF \$48,659,421.30

- 06-O-2126 (8) An Ordinance by Finance/Executive Committee Anticipating and Appropriating Bond Proceeds in the amount of \$48,659,421.30, from the 2005 Eastside Tax Allocation Disbursement (TAD) Bond Issue to fund various projects; and for other purposes. **(Favorable on First Read, 9/27/06)**

FAVORABLE ON FIRST READ

TO AMEND THE 2006/2007 (GENERAL FUND) NON-DEPARTMENTAL BUDGET IN THE AMOUNT OF \$578,000.00

06-O-2144 (1) An Ordinance by Councilmembers Jim Maddox, Howard Shook, H. Lamar Willis, Cleta Winslow, Kwanza Hall, Ivory Lee Young, Jr., Ceasar C. Mitchell and Carla Smith Amending the 2006/2007 (General Fund) Non-Departmental Budget in the amount of \$578,000.00 by Transferring Funds from the Non-Departmental Reserve For Appropriations Account to Various Accounts of the President of Council and City Council Members Operating Budget; and for other purposes. **(Finance/Executive Committee Substitute corrects Fund, Account and Center Number, Finance/Executive Committee Conditional passage is that the Finance Department will come up with another source of funding of \$578,000.00, 9/27/06)**

FORWARD WITH NO RECOMMENDATION ON CONDITION ON SUBSTITUTE

CFO Davis stated that this paper takes money from the Restricted Reserves and puts it in Various Accounts for City Council. She is concerned about this because it is not good policy. We are taking funds that we have previously treated as rainy day funds. This is not good because this is not treated as an emergency. This is something that the Rating Agency looks at and applauds. Chairperson Shook stated that he thought this was a response to the correction to the Council's Aides pay raises. He is concerned with this as well, now. He believes that we should beef up the Committee research side of this. Councilmember Willis stated that we are not in a position to research. The best alternative is his staff. He pays the best salaries that he can, but it limits the ability to go out and find good people. He supports this paper. It is not for his salary. We make sure that we are bringing in the right people by paying them a decent salary? All of the City's indebtedness is over \$6 billion dollars. Unless someone helps us find out where to take the funds from, this is the best place. It becomes a part of the Reserves, when we make it part of the Reserves. Chairperson Shook asked if the Administration is proposing an increase to the Reserves. CFO Davis responded that it is our intent until we get to the accrual basis we want to match the fund. We want to get to 7.5%. It is under discussion. Councilmember Maddox stated that there is no other way to fund our staff, but by us. The Administration only puts in for their needs and staff. It is not a source that people would like to use. If there is another source, he will support that. It has been twelve years since anything has been placed into that account. You have to pay staff the market price.

Mr. Rob Barger: Director of Council addressed the Committee by stating that if Council overspends their accounts, the Appropriations will come out of the next year's Budget. When you overspend in the fourth year, Councilmembers are responsible for the amount overspent. There are three Accounts contained in the Council Appropriations. There is the Full-time Permanent salary, Councilmember Expense Account and the Postal Account. Part-time salary accounts added benefits three years ago for third Council Assistance personnel. They have been increased by COLAs. The Council Expense Account has not increased since 1999 and the Postage Account has not had an increase since 1998. There has not been any increase to the Postal Account as well. Both Accounts were set up in 1994. Councilmember Maddox stated that postage has gone up over 30%. The taxpayers understand that there are additional costs. We do not owe an apology for this because Council needs funds to hire adequate staff. Councilmember Willis pointed out that over the last four years he has had to take

money from his Postage Account and Council Expense Account to accommodate the difference. To maintain the service level, he supports this paper. Councilmember Maddox stated that he has never seen a Councilmember not take an increase for their staff. These are legitimate costs. Chairperson Shook stated that he is concerned about the use of the Reserves instead of cutting something else back. Councilmember Muller asked the CFO if this Budget has already passed. CFO Davis responded yes. Councilmember Muller stated that in 2002 we passed Legislation that controls our Reserves.

Mr. Chuck Meadows: Chief of Budget and Fiscal Policy addressed the Committee by stating that we made a decision to establish the 5% Reserve. We recommended then saving 5%. We have currently put 5.5% in our Reserves. The total Reserve is \$30 to \$40 million dollars. The Substitute was to correct an account number. Councilmember Willis asked what half of a percent calculates to. We are looking at taking a little over \$500,000.00 from \$3 million dollars. This is not something that we do every year. The price of gas, food, etc. has inflated. CFO Davis added that her objection is that we are setting a precedence to view the Reserves as a Revolving Fund. It is not just another pot of money. You will soon lose the control. She sees the justification and it is reasonable. Councilmember Willis stated that we contemplated everyone's raises and needs in the regular Budget. We would have to wait 18 months if it is not done right now. We have made sure that all of the Departments took care of their needs first. We wait until everything else is done, then we talk about ourselves. Chairperson Shook stated that we have a Work Session on tomorrow regarding the 2007/2008 Council Priorities. Councilmember Muller asked about the stipulation of changing salaries. Is there another source rather than the Reserves? Where does the Capital Improvement Fund for Council come from? CFO Davis responded that we changed the language in the Code to six months after the Fiscal Year. It goes to the month of December for any changes to be made. Other sources for twelve months or lower means the amount may be less. Mr. Meadows responded that it depends on the category we are talking about. We would have to decide if it is the remainder of the Fiscal Year. Other sources of funding could be Authorized Positions that have not been Filled. Councilmember Muller asked how long will it take to get a report on that. Mr. Meadows responded 45 minutes or less. Capital Improvements are funded through the Office of General Services. Councilmember Willis asked what our surpluses have been previously. Mr. Meadows responded \$80 to \$100 million dollars on a cash basis. Councilmember Willis stated that the amount we are asking for is a smaller number. Mr. Meadows responded that it is Unappropriated Funds that range from \$2 to \$7 million dollars. Councilmember Willis stated that technically we should not have those numbers in the future since we are moving to an accrual basis. We are talking about two years to make any changes. Mr. Meadows responded that it would be July 1st of next year. He will continue to support this. Councilmember Maddox agreed. He stated that he also wants to see the Capital Improvement numbers. If we have the information by Monday, we could make a decision to come up with another source. He wants to send it Forward With No Recommendation on Condition that the Finance Department will come up with another source of funding. Mr. Meadows asked if we are to target the total amount of the Fiscal Year. Councilmember Maddox amended the motion to do a report for \$578,000.00. Councilmember Willis stated that it would be for a quarter of the year. Let's not take it from one place. We do not want to hit any one Department hard. It should be spread throughout the Departments. Chairperson Shook offered a motion to move **Forward With Recommendation on Condition of the Finance Department coming up with another source of funding, 2 Abstentions (Muller and Moore), 5 Yeas.**

TO AUTHORIZE THE MAYOR TO EXECUTE AN INTERGOVERNMENTAL AGREEMENT

06-O-2145 (2) An Ordinance by Councilmember Natalyn Mosby Archibong Authorizing the Mayor to execute an Intergovernmental Agreement by and between the Housing Authority of the City of Atlanta, Georgia (The "Authority") and the City of Atlanta pertaining to the performance of certain public improvements by the Authority for the benefit of the City of Atlanta; Transferring Appropriations in the amount of \$1,500,000.00 to fund said public improvements; and for other purposes.

FAVORABLE

Mr. Joe Bastista: of the Department of Watershed addressed the Committee by stating that this Legislation is an Intergovernmental Agreement between the Department of Watershed Management and the Atlanta Housing Authority. The Department supports the Legislation. The Department had funded \$5.38 million dollars for water and sewer of funding for the revitalization of the project. This work will be performed by AHA. Councilmember Willis offered a motion to **Approve, 6 Yeas, 1 Abstention.** Chairperson Shook stated that the Agreement is the form that was used for previous projects. There is a list of the items to be funded included in the Agreement.

TO AUTHORIZE THE MAYOR OR HER DESIGNEE TO ENTER INTO A COOPERATIVE PURCHASING AGREEMENT

06-R-2127 (1) A Resolution by Finance/Executive Committee Authorizing the Mayor or her Designee to enter into a Cooperative Purchasing Agreement pursuant to Section 2-1601 et. seq. of the City of Atlanta code of Ordinances, utilizing State of Georgia Contract #A63307 with Dell Marketing, L.P. for the purchase of two (2) Dell Poweredge 1850 Servers and two (2) Poweredge 6850 Servers, on behalf of the Department of Police, in an amount not to exceed forty six thousand two hundred forty dollars and seventy six cents (\$46,240.76); all contracted work shall be Charged To and Paid From Fund Account and Center Numbers 1B02 (Intergovernmental Grant Fund) 575001 (Equipment0 X11T0762B5J0 (Justice Assistance Grant); and for other purposes.

FAVORABLE

Deputy Chief Banda: of the Department of Police addressed the Committee by stating that this goes with the software for the Evidence Division. This is no cost to the City and it is all from Grants. Councilmember Hall offered a motion to **Approve, 7 Yeas.**

TO APPOINT DR. CHERYL ALLEN, CPA, TO THE CITY OF ATLANTA AUDIT COMMITTEE

06-R-2136 (2) A Resolution by Councilmember Howard Shook to Appoint Dr. Cheryl Allen, CPA, to the City of Atlanta Audit Committee as one of the three At-Large Members Appointed by the entire City Council, for a term of three (3) years, said term to begin upon the approval of this Resolution; and for other purposes.

FILE

Councilmember Maddox offered a motion to File. Chairperson Shook stated that he wanted to Hold it to see if any other positions become available on the Board. Councilmember Muller offered a motion to Hold. Councilmember Moore stated that positions will be coming available next year, but at some point we should clear the deck so when there are appointments available everyone would have the opportunity to make nominees. At the time a vacancy comes up, they may offer themselves to be reappointed. Councilmember Moore stated that she cannot support Holding it. Councilmember Maddox stated that he agrees with Councilmember Moore. If we Hold it, we are saying that when the next position is open this person will get it. Councilmember Muller asked if they are only Council appointments and how are they done? Councilmember Moore stated that they are Citywide appointments. One is done by Council President, the Administration and three Citywide appointments, which means we sent the applications to each Councilmember. Chairperson Shook offered a motion to **Hold, 3 Yeas, 4 Nays**. Councilmember Maddox reiterated the motion to **File, 4 Yeas, 3 Nays**.

TO SUPPORT HR 1059 THE MILITARY READINESS ACT

06-R-2141 (3) A Resolution by Councilmember Anne Fauver to Support **HR 1059 the Military Readiness Act** that will replace the current "Don't Ask, Don't Tell" Policy with a policy of nondiscrimination based on sexual orientation; to respectfully urge the Congress of the United States to pass, and the President to sign the Military Readiness Enhancement Act; and for other purposes.

FAVORABLE

Councilmember Fauver stated that this is part of a wider Bill in the U.S. Congress. Last year over 10,000 soldiers were asked to leave the military because of their sexual orientation. She wanted to support this policy. Councilmember Moore offered a motion to **Approve, 6 Yeas, 1 Nay**. Councilmember Moore asked if there is a copy of **HR 1059** attached. What does the Act say? Councilmember Maddox stated that it should be your preference. Chairperson Shook stated that in the future when we offer support or opposition to Legislation, let's please attach a copy of the Legislation.

TO AUTHORIZE THE MAYOR TO EXECUTE CHANGE ORDER NO. 3 WITH ARCHER WESTERN CONTRACTORS, LTD.

06-R-2070 (4) A Resolution by Finance/Executive Committee authorizing the Mayor to execute Change Order No. 3 with Archer Western Contractors, LTD. For FC-3005007867, Taxiway "V" (8R End Around Taxiway), on behalf of the Department of Aviation, in an amount not to exceed \$1,411,131.75; all contracted work will be charged to and paid from Fund, Account and Center Number 2H26 (Airport Passenger Facility Charge Fund) 574001 (Facility Other Than Buildings) R21E052396AA (Airfield Pavement Replacement Program); and for other purposes. **(Finance/Executive Committee Amendment adds an additional Resolve Clause stating that the Council will receive a final report from the Department of Aviation, 9/27/06)**

FAVORABLE AS AMENDED

Mr. Mario Diaz: of the Department of Aviation addressed the Committee by stating that this Resolution will replace what should have been done under a previous contract. It is for the full measure of concrete. All of the concrete will be replaced. The final contract is the recycling materials. It fills 4 million square feet. The Taxiway under the contract is what the contractors will bring down below the departing runway. This contract will take all of the concrete and materials off the site. These two contracts should have been issued in February, but we had to settle a legal matter with the contractor. We could not wait so we had the contractor take about 1.3 cubic yards of concrete and haul it and put in place. Once it is completed, our engineers will go out and draw measures of the embank fields. The contractor will not be paid for that. Councilmember Willis asked for a number of the final report. He then offered a motion to Approve as Amended with adding an additional Resolve Clause stating that the Council will receive a final report. Chairperson Shook stated that the Amendment is an additional Resolve Clause that the Department of Aviation will provide Council with a report of the final distribution of Contractor A and B. Councilmember Maddox offered a motion to **Approve as Amended, 7 Yeas.**

AN AMENDMENT TO THE CHARTER OF THE CITY OF ATLANTA

06-O-0380 (1) An Ordinance by Finance/Executive Committee an Amendment to the Charter of the City of Atlanta proposed under and by virtue of the authority of the Municipal Home Rule Act of 1965, O.C.G.A. Section 36-35-1. et seq., as amended, so as to amend the Charter of the City of Atlanta, Georgia, 1996 Ga Laws P. 4469, et seq., by amending Article 3, Chapter 1, Section 3-104 (14) so as to adjust the limitations upon the Mayor's Procurement authority from \$100,000.00 to \$1,000,000.00; to amend Article 6, Chapter 4, Section 6-402, so as to adjust the limitations on the Mayor's small purchase authority from \$420,000.00 to \$500,000.00 and to adjust the threshold requirement for approval of competitively procured contracts by the City Council of Atlanta from \$100,000.00 to \$1,000,000.00; to repeal conflicting Ordinances; and for other purposes. **(Substituted and Held, 2/15/06)**

HELD

TO AMEND CHAPTER 2, ARTICLE III, SEC. 2-176, CHAPTER 2, ARTICLE V, SECTION 2-252 AND CHAPTER 2 ARTICLE X OF THE CODE OF ORDINANCES OF THE CITY OF ATLANTA

06-O-0381 (2) An Ordinance by Finance/Executive Committee to amend Chapter 2, Article III, Sec. 2-176, Chapter 2, Article V, Section 2-252 and Chapter 2 Article X of the Code of Ordinances of the City of Atlanta, to provide more efficient, effective standards and procedures to better manage the procurement process in the City of Atlanta; to repeal conflicting Ordinances; and for other purposes. **(Substituted and Held, 2/15/06)**

HELD

TO AMEND THE CODE OF THE CITY OF ATLANTA, GOERGIA BY ADDING TO SECTION 2-183

- 06-O-0787 (3) An Ordinance by Councilmember Caesar C. Mitchell to Amend the Code of the City of Atlanta, Georgia by adding to Section 2-183; Department Heads under supervision and direction of the Mayor; exception responsibilities; and for other purposes. **(Held, 3/29/06); (Held and Substituted, 7/12/06)**

HELD

TO AMEND CHAPTER 2, ARTICLE X, DIVISION 4, SECTION 2-1188 (C) OF THE CITY OF ATLANTA CODE OF ORDINANCES

- 06-O-1338 (4) An Ordinance by Finance/Executive Committee to Amend Chapter 2, Article X, Division 4, Section 2-1188 (C) of the City of Atlanta Code of Ordinances, to change the means by which public notice of contract opportunities is given, by providing for online solicitations for Procurement Services which are not governed by State Law, and repealing the requirement that solicitations be advertised in a newspaper of general circulation; and for other purposes. **(Held, 6/28/06); (Held and Substituted, 8/16/06)**

HELD

TO AUTHORIZE THE MAYOR OR HER DESIGNEE TO ENTER INTO AN APPROPRIATE AGREEMENT WITH THE STATE OF GEORGIA DEPARTMENT OF TRANSPORTATION

- 06-R-1450 (5) A Resolution by Councilmembers Mary Norwood and Ceasar C. Mitchell Authorizing the Mayor or her Designee to enter into an Appropriate Agreement with the State of Georgia Department of Transportation to accept funding in the amount of \$86,000.00 for the maintenance of State Highways within the City Limits in furtherance of the City's partnership with the Department of Transportation to provide employment opportunities to homeless individuals; and for other purposes. **(Held and Substituted, 6/28/06)**

HELD

TO AMEND THE 2006 (SOLID WASTE SERVICES REVENUE FUND) BUDGET

- 06-O-1451 (6) An Ordinance by Councilmembers Mary Norwood and Ceasar C. Mitchell Amending the 2006 (Solid Waste Services Revenue Fund) Budget by Adding To Anticipations and Appropriations the amount of \$86,000.00 from the State of Georgia Department of Transportation for the purpose of funding litter removal and other services related to road maintenance within the City Limits in furtherance of the City's Partnership with the Department of Transportation to provide employment opportunities for homeless individuals; and for other purposes. **(Held and Substituted, 6/28/06)**

HELD

TO APPOINT MR. ROBERT F. ASHURST, CPA, TO THE CITY OF ATLANTA AUDIT COMMITTEE

06-R-1587 (7) A Resolution by Finance/Executive Committee to appoint Mr. Robert F. Ashurst, CPA, to the City of Atlanta Audit Committee as one of the three at-large members appointed by the entire City Council, for a term of three (3) years, said term to begin upon the approval of this Resolution; and for other purposes. **(Held, 7/12/06); (Finance/Executive Committee Substitute changes the term to October 23, 2006)**

FAVORABLE ON SUBSTITUTE

Councilmember Moore stated that the Substitute changes the term to start on October 23rd. Mr. Woody should finish his term on October 15th, so she added another week.

Mr. Robert F. Ashurst: addressed the Committee by stating that he worked with government and non-profit audits. He wants to get involved with the community. He has been briefed on the disclosure requirements. He was sent the information stating the requirements. Councilmember Moore offered a motion to Approve on Substitute. Chairperson Shook stated that we have been Holding this paper for a while. Councilmember Moore stated that the letter is in the package. Chairperson Shook stated that there is a second nominee for this position, which is **06-R-2136**. Councilmember Moore stated that on May 31st a memo was sent out for nominations for two vacancies on the Audit Committee. From her District four people responded. She sent another reminder to all of the Councilmembers stating that we had the appointments with specific dates. The only people who gave information of interest were two people from her District. She then sent out another memo that stated we wanted the nominations for recommendations. She also directed her staff to go to each Councilmember's Office to see if they had anybody. Every response from Councilmembers were no. The names were submitted and we approved Mr. Penoli. Mr. Ashurst had to get his letter in and Mr. Woody wanted to stay on past his term. Mr. Ashurst did everything including putting the money up. She asked the Chair of the Finance/Executive Committee who the other person was and he responded that he did not who the person was. The nominee came as a suggestion from the Internal Auditor. This was not the correct thing to do because the Internal Auditor would be the supervisor of the nominee. The Internal Auditor was recently asked for recommendations. She has concerns because Council has gone through this process to get people to be on the Audit Committee. She said to the Chair that she can call Mr. Ashurst and ask him to withdraw his nomination or draft a Resolution for the Council to vote on. This way all Councilmembers could have nominees for the vacant appointment. She then stated that Mr. Ashurst has gone out to get his credentials for this nomination. She was under the impression that Mr. Ashurst would say to Council, lets open the process up to submit names and move forward. She did not realize that the Chair of the Finance/Executive Committee had introduced another name and put it on the Agenda and the other process did not occur. She does not know if the other nominee is aware that this has become a messy situation. She believes that Ms. Ward should not be involved at this time. She believes that if you have to be a CPA for a certain length of time, it should be in the qualifications. She stated that Ms. Ward responded to her that she would get around to it. Mr. Ashurst has submitted his application in a timely manner. He has allowed Mr. Woody to finish his final report. She is not sure what happened between the initial conversations. Chairperson Shook stated that there is a second nominee before us. The second nominee came to him by way of the Internal Auditor. When the question was raised by Councilmember Moore,

rather than to categorize what she says, he wants to give the Committee an opportunity to ask questions. He believes that Mr. Ashurst is well qualified. If we want to move on today, it is up to the Committee. He thinks that competition is good for these nominations. Often we get stuck with people because of the lack of interest. We should not feel bad for sorting through resumes. He appreciates Mr. Ashurst willingness to serve. Councilmember Willis stated that he hopes this is resolved. Mr. Ashurst has become certified because of this job. He recommends that the City at a minimum reimburse him for his costs. He had no need for the current certificate. Councilmember Maddox stated that we would have to check with the Law Department for reimbursement. He does not know what happened. He thinks if there are no violations, both candidates should be considered. If the person is qualified, that is very positive. We do need to consider all applicants if they are legally qualified. He hopes that the candidate understands that. We do not want to set precedence of not looking at all of the candidates. He is interested in hearing from the Ethics Officer. Councilmember Moore stated that she made comments based on her opinion. We do not need the Ethics Officer involved. She does not believe that there are any ethical violations to address. If she did, she would have filed a compliant. She thinks that supervisors should not nominate people that they will be over. Any Councilmember can introduce any Legislation that they want to. The problem is that we established the Audit Committee, which is in the Resolution. We had a process and she followed it. Mr. Ashurst's paper was Held because he had to update his certificate. The other way to do it was to do a Resolution and open it up to new names. Chairperson Shook stated that he wants to Hold both of the papers. Councilmember Willis stated that he is concerned with Holding the papers because it is a chilling affect for the citizens who want to be put on a Board. We as Elected Officials have our resumes evaluated, but the citizens do not want to open themselves up to this kind of scrutiny. Councilmember Maddox stated that it seems that Chairperson Shook is attempting to give both candidates an opportunity to be heard. If we Hold the papers, we will have time to siphon it out. We need to find out what is the best way to address it. Councilmember Hall stated that he doesn't mind Holding it, but Mr. Ashurst has been put in a dilemma. Councilmember Moore stated that we had a process and she followed it. Councilmember Willis stated that this Council should be consistent. Councilmember Moore stated that she is very disappointed in this process. Councilmember Winslow stated that we do not want to send the wrong message. This speaks to our integrity. We were led to think that once Mr. Ashurst got his credentials, he would be qualified. Chairperson Shook offered a motion to **Hold, 3 Yeas, 3 Nay**. Councilmember Moore offered a motion to **Approve on Substitute, 4 Yeas, 1 Nay, 1 Abstention**.

TO AUTHORIZE THE MAYOR TO EXECUTE A MASTER AGREEMENT WITH TDC SYSTEMS INTEGRATION, INC. FOR FC-6006007881

06-R-1667 (8)

A Resolution by Finance/Executive Committee Authorizing the Mayor to execute a Master Agreement with TDC Systems Integration, Inc. for FC-6006007881, Citywide On-Call Services for Information Technology Staffing; authorizing the Chief Information Officer of the Department of Information Technology, the Director of Information Technology of the Department of Watershed Management and the Aviation Information Systems Director of the Department of Aviation to execute all statements of work; all contracted work shall be Charged To and Paid From Various Fund, Account and Center Numbers; and for other purposes. **(Held and Amended, 8/16/06)**

HELD

TO AMEND THE FISCAL YEAR 2007 BUDGET TO INCLUDE ALL FUNDS

06-O-1675 (9) An Ordinance by Finance/Executive Committee amending the Fiscal Year 2007 Budget to include all funds; and for other purposes. **(Held, 8/30/06); (Substituted and Held, 9/27/06)**

HELD

Chairperson Shook stated that we have a Substitute. We were Holding this paper for the Close-Out process. Councilmember Moore asked if the Council Aide raises are in this Budget. Mr. Meadows responded yes and this paper is the Fiscal Year 2006/2007 Capital Budget. We separated it from the Operating Budget because we were Adopting the Capital Budget based on our funding. Many of the Capital funds are Bond funds. For this set of funds, we had to wait until after the Close-Out. This will be an annual process and we did this last year. The Budget book before you includes the Capital Budget. These items are multi year funds that track the lives of the project. Councilmember Moore asked about page #2. Mr. Meadows responded that they are three funds out of a group of funds. Councilmember Moore asked if the CDBG funds for Community Development projects. Mr. Meadows responded yes. Councilmember Moore asked how much of the Empowerment Zone fund is left over. Mr. Meadows responded that it is \$59 million dollars. Councilmember Moore pointed out that the money had to be spent. Mr. Meadows responded that we had to clean up mismanagement from previous years. The Department of Planning and Community Development is trying to address the needs of the projects with HUD. We understand that it is a concern. Councilmember Moore stated that this is a concern and she is glad that the government has not taken it back. She then asked if the Bond Proceeds increments for the School Board or the City. CFO Davis responded that it is a combination. Councilmember Moore asked what does the Budget have to do with these funds. Mr. Meadows responded not much of anything. Every time we sell a Bond, it has to come before Council. This Budget reflects shifting funds within an Account or if there are any interest earnings. Councilmember Moore asked where does the TAD figures come from? Is it from bank statements or from ADA? Is this money in the City of Atlanta's bank account? Mr. Meadows responded that the Bonds proceeds are on the City's books and part of the General Ledger as of June 30, 2006. We get figures from Fulton County monthly. Councilmember Moore asked about the Emergency Telephone System Fund. Mr. Meadows responded that it is for the 911 Revenue. It is the funds we collect for wireless fees. It is what we fund the 911 operations with. We subsidize 911 from the General Fund and the annual amount we receive is \$15 to \$16 million dollars. The funds we charge are not adequate to fund the 911 System. We have State Legislation to increase the fee from \$1.00 to \$1.50. Councilmember Moore asked how much more we would have to collect. Mr. Meadows responded that we would have to double it. It would be about a 75% increase. We are short regarding the operations. There will also have to be technology upgrades. Councilmember Maddox asked why we don't charge what the cost is. Mr. Meadows responded that it is regulated by the State. Councilmember Maddox asked if it is collected from phone companies. Mr. Meadows responded that we have had regular conversations with Mr. Robert Ashe regarding generating revenues for the City. Councilmember Maddox stated that this needs to happen. We need to introduce a Resolution to give to the General Assembly to charge the exact cost for 911 services. The Administration should put it in the Legislative Package. Mr. Meadows responded that it is an area of concern. CFO Davis added that we will make that request. Chairperson Shook stated that we have to be careful with adding on fees. Councilmember Maddox stated that if the Administration will not do it, he will do it. We ask for things and don't get it all of the time. We have asked for para mutual betting, but did not get it. Councilmember Muller stated that we need to figure out how to break even. Councilmember Willis asked where do the Taxes for 911 go. We

pay for other people who utilize our City. Mr. Meadows responded that the Taxes go back to the City's 911 Service. Councilmember Moore asked about page #2. What do these pages represent? Mr. Meadows responded that it is the Appropriations for Council District Budgets. Councilmember Moore stated that it shows that it represents 12 months instead of 18 months. Mr. Barger responded that sounds correct, it is for 18 months. Mr. Meadows added that it is not prorated, it is for the full amount. Councilmember Moore wants to see the comparison. What is going on with the Municipal Clerk's Office on page #4? Did they not receive the 2.2% increase as well? Mr. Meadows responded that they are listed because all Departments were included. Councilmember Moore asked for what purpose are they listed. Mr. Meadows responded that the practice is to Amend the Capital Budget with the Operating Budget. Councilmember Moore asked if these numbers are different from what was approved. Mr. Barger responded that there is no shortfall. It is what we Adopted. Councilmember Moore asked if there are any changes. Mr. Meadows responded that there are no changes. Councilmember Moore asked if there are any other Departments different from the Council's additional 2.2% raise that has any changes from the General Fund Budget. Mr. Meadows responded no, there are not any outside of the General Fund. Councilmember Maddox stated that he has to leave soon. He would like to vote on it soon. Councilmember Moore stated that she just received the document. Mr. Meadows added that there is another adjustment for the arrangement with Brand Atlanta and the Reserve in the Car Rental Tax for the construction of the Philips Arena. There were constraints placed on the funds. The Budget includes the removal of the Reserve to fund one year of operation for Brand Atlanta. Councilmember Moore stated that she wants a **detailed summary of changes that are separate from this book and where to find it**. This is a major policy issue. If she hadn't asked the question, she would have not known. She stated that she wants to know every single thing and would like to have the information before Monday. She wants a list and the pages referenced as well. She is asking for the last time, are there any other changes? Chairperson Shook asked what is the time frame to approve this paper? CFO Davis responded that Holding the paper may hold up things that were being moved on the Capital side. Councilmember Muller stated that the Car Rental Tax had all kinds of restraints in it. Was the \$7 million dollars to fund Brand Atlanta for one year? Mr. Meadows responded that he would provide the information. Councilmember Muller asked about page #3 under Council District 8 (Intergovernmental Interfund Expense) of \$0. There is no other Council District listed. Mr. Meadows responded that it transfers internal services from the General Fund to the Interfund Account. The Account should have been deleted. Councilmember Muller stated that in the Executive Officers it includes Motor Transport, etc. Mr. Meadows responded that he would have to look up what the Appropriation is for, but some Appropriations are still there. Councilmember Muller asked about the Car Rental fund. Mr. Meadows responded that he is not aware of it being under the Internal Service Fund. Councilmember Winslow asked if the Local Option Sales Tax with Fulton County a 42%/58% split. Mr. Meadows responded that the 42% is for other Municipalities. The 58% goes to the City of Atlanta. The last time it was renegotiated was in the late 90's. It is a ten year Agreement.

Mr. Jermaine McClain: of the Office of Budget and Fiscal Policy addressed the Committee by responding that it coincides with the Census. It will be renegotiated again in 2010.

Continuing, Chairperson Shook stated that we need more time to look over the documents before voting on it. Councilmember Moore requested a summary of the changes in the General Fund and other funds as well. She is not trying to hold anything up, but she needs to know what she is voting on. She was told the Capital Budget would be in a separate Legislation. Mr. Meadows responded that a couple of changes are provided on the Summary Page. Under the Capital Finance Fund is where

we fund fleet replacement, Oracle and ERP. The Aviation Army Fund is contributed to the ConRac (Car Rental Facility). The Water/Wastewater Fund went from \$600 million dollars to \$800 million dollars due to a Commercial Paper. There is around \$50 million dollars that has been allocated to projects. It is on a transaction basis. CFO Davis added that a Commercial Paper is the ability to draw from the funds instead of money sitting in the banks. Councilmember Moore wants to know how much money is sitting in the bank. CFO Davis responded that she would provide the information. Councilmember Moore asked if we will have time dedicated to answer our questions. Chairperson Shook stated that we will have time to look at this more closely and we will know more when we receive the additional information. Councilmember Moore stated that she wants to know what the process will be. Mr. Meadows responded that he would have the information by tomorrow. The attached spread sheet goes through the funds. We have gotten the Quality of Life Bond Program back on schedule. CFO Davis added that we have some funds remaining and are finishing up with 2004 Quality of Life Bonds. The Departments have done an excellent job. Councilmember Winslow asked what are the Opportunity Bonds? Mr. Meadows responded that the \$21 million dollars is for greenspace. All of the fund is for Parks and Recreation. Councilmember Moore stated that she sent a memo of concerns to the CFO regarding Worker's Compensation in order to discuss some of those concerns with the Program. She stated that she wants to draft Legislation regarding it. She then asked the Department of Finance to do more research.

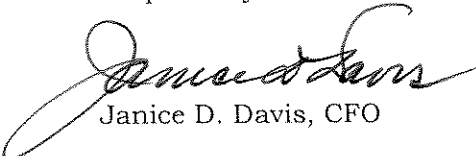
Mr. Dave Walker: addressed the Committee by stating that he wants to speak on the "Don't Ask, Don't Tell Legislation". This Legislation was introduced during the Clinton Administration. If you serve in the military, it is a morale buster to have such a policy. It is more than what this Committee's narrow view is. He was amazed that Councilmembers supported this Legislation. Why did the Councilmembers rush forward to support non-traditional sexual behavior?

Mr. Carey Duncan: addressed the Committee by stating that he wants to speak in regards to the adverse litigations in the Public Safety Committee regarding sidewalk accidents on 55 Trinity Avenue. Why can't we have the Department of Public Works fix the sidewalks? Why isn't the situation being addressed. It affects the entire Budget. Councilmember Muller stated that she and former Councilmember Lee Morris introduced Legislation, but the Department of Public Works stated that it would be too expensive. We ended up Filing the Legislation. If we subsidize roads, we should do it for sidewalks. The infrastructure is under the City's purview. Mr. Duncan stated that we should go to the City of Decatur where the sidewalks are beautiful.

ADJOURNMENT

Having no further business before the Committee, the meeting was adjourned at 4:30 p.m.

Respectfully submitted,



Janice D. Davis, CFO

Charlene Parker
Recording Secretary

"The Department of Finance... because customer service is important to us."